

REMARKS

Objections to the Drawings

The Examiner has objected to FIGURE 1 as failing to comply with 37 CFR 1.84(p)(5) because reference numbers 36 and 37 are included in the drawing but are not mentioned in the description. Reference numbers "36" and "37" have been added to the specification (please see the Amendment to the Specification section above) and since the added text only relates what is clearly shown in the drawings as filed, it does not constitute new matter.

The Examiner has objected to FIGURE 5 as failing to comply with 37 CFR 1.84(p)(5), because reference number 530 is included in the drawing but is not mentioned in the description. Reference number "530" has been added to the specification (please see the "Amendment to the Specification" section above).

Objections to the Specification

FIGURE 1 includes Reference numbers "36" and "37" that are not mentioned in the description. Please see the Amendment to the Specification section above wherein the specification has been amended to now refer to "application programs 36" and "program modules 37."

FIGURE 5 includes Reference number "530" that is not mentioned in the description. Please see the Amendment to the Specification section above wherein the specification has been amended to now refer to "...selecting a priority level from a drop-down menu 530."

The disclosure recites that "In step 630, the document reminder system 100 increments the timer before returning to decision step 625 " in reference to FIGURE 6, but FIGURE 6 shows that the document reminder system returns to step 615. The specification has therefore been amended above to recite that "the document reminder system 100 increments the timer before returning to decision step 615."

The disclosure recites that "Following step 650, the timer is incremented in step 630 and the reminder determination loop of steps 625 through 655 is repeated" in reference to FIGURE 6, but FIGURE 6 shows that the flow from step 630 is to step 615, not step 625. The specification has therefore been amended to recite that "Following step 650, the timer is incremented in step 630 and the reminder determination loop of steps 615 through 655 is repeated."

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1 The disclosure recites “dynamically linked libraries 38” in reference to FIGURE 1, but
2 FIGURE 1 shows that Reference number 38 is tagged towards “Program Data.” The specification
3 has therefore been amended to recite “Program Data 38.”

4 The disclosure recites “Bernoulli cartridges...” but this trademark is not capitalized. The
5 specification has therefore been amended to recite “BERNOULLI™ cartridges...”

6 Status of the Claims

7 Claims 1–18 remain pending in the application, Claims 1 and 8-17 having been amended,
8 where Claims 8-9, 12, 14-15, and 17 have been amended to correct stylistic errors and other
9 non-substantive errors unrelated to the patentability of these claims.

10 Claims Rejected Under 35 U.S.C. § 112

11 The Examiner has rejected Claim 12 under 35 U.S.C. § 112 as being indefinite for failing to
12 particularly point out and distinctly claim the subject matter which applicant regards as the invention.
13 The Examiner notes that Claim 12 recites “...document is incompatible with the second
14 application...,” and indicates that antecedent basis does not exist for this recitation. Claim 12 is
15 dependent upon Claim 11, which is dependent upon Claim 9. Thus, Claim 11 has been amended to
16 depend upon Claim 10 and there is now antecedent basis for this claim recitation, since Claim 10
17 specifically recites “a second application.”

18 Claims Rejected Under 37 CFR 1.75

19 The Examiner has objected to Claim 13 under 37 CFR 1.75 as being a substantial duplicate of
20 Claim 9. Claim 13 is dependent upon Claim 8. Accordingly, Claim 13 has been amended to depend
21 upon Claim 12.

22 Claims Rejected Under 35 U.S.C. § 102(b)

23 The Examiner has rejected Claims 1-18 as being anticipated by Microsoft Office 97,
24 Copyright 1983-1996 by Microsoft Corporation. Selected screen captures of Microsoft Office 97 are
25 presented in Microsoft Office 97 – Send to Function, captured March 30, 2004 (hereinafter referred
26 to as “the Microsoft Office 97 reference”). The Examiner asserts that the Microsoft Office 97
27 reference describes each element of applicants’ claimed invention. Applicants respectfully disagree
28 for the reasons discussed below.

29 In the interest of reducing the complexity of the issues for the Examiner to consider in this
30 response, the following discussion focuses on amended independent Claims 1, 10, and 16. The

1 patentability of each remaining dependent claim is not necessarily separately addressed in detail.
2 However, applicants' decision not to discuss the differences between the cited art and each dependent
3 claim should not be considered as an admission that applicants concur with the Examiner's
4 conclusion that these dependent claims are not patentable over the disclosure in the cited references.
5 Similarly, applicants' decision not to discuss differences between the prior art and every claim
6 element, or every comment made by the Examiner, should not be considered as an admission that
7 applicants concur with the Examiner's interpretation and assertions regarding those claims. Indeed,
8 applicants believe that all of the dependent claims patentably distinguish over the references cited.
9 Moreover, a specific traverse of the rejection of each dependent claim is not required, since
10 dependent claims are patentable for at least the same reasons as the independent claims from which
11 the dependent claims ultimately depend.

12 With regard to amended independent Claim 1, applicants have clarified the recited method for
13 creating a timed reminder linked to a document to more clearly distinguish over the Microsoft
14 Office 97 reference's method. Significant differences exist between Claim 1 and the Microsoft
15 Office 97 reference with regard to the number of application programs the user must separately
16 access in order to create a timed reminder and with regard to setting a time in the time field.

17 The Examiner asserts that the Microsoft Office 97 reference anticipates Claim 1. With regard
18 to the first step of applicants' Claim 1 that recites "opening a document in an application program,"
19 the Examiner asserts that "Microsoft Office 97 discloses opening a document using Microsoft Word
20 in Figure 3 (see the File menu, with the Open choice)" (Office Action, page 5).

21 However, with regard to the third step of applicants' Claim 1 that recites "in response to
22 indicating that the document is to be accessed at a later date, creating a reminder having a date field, a
23 time field, and a document field," the Examiner asserts that "Figure 3 further discloses the first step
24 of creating a reminder to access a document at a later date (see the File menu, with the Send To
25 choice)" (see Office Action, page 5). Thus, the Examiner appears to be asserting that after the user
26 opens a document, the user can then e-mail the same document from within Microsoft Word to an
27 e-mail account and then the Examiner further asserts that "Microsoft Office 97 discloses creating a
28 reminder with a date and time field and a document name field in Figure 4" (see Office Action,
29 page 5). But in order to actually create a reminder, the user must access the user's e-mail account
30 under Microsoft Outlook, which is *another application program* that the user must separately access,

1 in addition to the Microsoft Word application that the user just accessed in order to open the
2 document. Next, the user must click on the red *Message Flag* icon. Then the user may choose a
3 message like *Follow up* as shown in Figure 4 (see the Microsoft Office 97 reference, page 3).

4 In contrast, applicants' method is seamless and automated and does not require starting
5 another application. Specifically, "Fig. 3 displays the reminder creation dialog 300. As previously
6 mentioned, this dialog may be accessed either from any of the applications 240, 250, 260, 270
7 comprising the application suite 280, or from the user interface 200" (see applicants' specification,
8 page 13, lines 17-22). Thus, unlike the Microsoft Office 97 reference, the user does not need to
9 manually resort to opening other application programs in order to create the timed reminder. And if
10 the choice is made to employ the alternative, i.e., the user interface, a user can **directly** manipulate
11 reminders present in the database, without going through the application suite (see applicants'
12 specification, page 13, lines 8-11). Thus, it will be apparent that the user interface alternative is also
13 not another application program. The amendment to Claim 1 in this third step thus simply further
14 clarifies the claimed invention by reference to what is described in applicants' specification as filed.

15 Furthermore, although the user may select a date for the reminder, as shown in Figure 4 (see
16 the Microsoft Office 97 reference, page 3) which the Examiner asserts is equivalent to applicants'
17 fourth step of "setting a date in the date field for accessing the document," the user cannot set a time
18 field in Microsoft Outlook for the reminder. Applicants' method enables the user to select a time as
19 shown in Figure 3 of applicants' specification. However, in Microsoft Outlook, if the user selects the
20 date, the time that is displayed is always set to 5:00 pm. Accordingly, there is no teaching or
21 suggestion of setting both the time and the date in the cited reference.

22 Also, the Examiner did not provide a citation in the Microsoft Office 97 reference to any
23 equivalent of the second step of Claim 1 that recites "indicating that the document is to be accessed at
24 a later date." Even assuming, *arguendo*, that the equivalency of this step is established when, upon
25 closing the e-mail, the user can see that a flag icon for the e-mail is highlighted in order to indicate
26 that a reminder has been set, and thus, that the document should be accessed at a later date, the
27 Microsoft Office 97 reference neither teaches nor suggests applicants' seamless method of creating a
28 reminder to access a document from within either an application suite comprising the application
29 program or a user interface. This is a significant difference, because the Microsoft Office 97
30 reference requires activating at least two application programs (Microsoft Word and Microsoft

1 Outlook, as described above) in order to create a timed reminder that is linked to a document.
2 Accordingly, the rejection of independent Claim 1 under 35 U.S.C. § 102(b) over the Microsoft
3 Office 97 reference should be withdrawn for these reasons.

4 With respect to amended independent Claim 10, significant differences exist between
5 Claim 10 and the Microsoft Office 97 reference with regard to the database that is accessed in order
6 to display the document. With regard to the first step of applicants' Claim 10 that recites "polling a
7 **database** from a first application," the Examiner asserts that the Microsoft Office 97 reference uses a
8 first application, Microsoft Outlook 97 to poll the database of messages as shown in Figure 4 (Office
9 Action, page 6). However, Figure 4 does not show a database of messages. Instead, it shows an open
10 e-mail message being read and a reminder being created as the Examiner asserted earlier on page 5 of
11 the Office Action. So it not clear to applicants what database of messages is being polled in Figure 4.
12 However, assuming, *arguendo*, that the Examiner intended to refer to the screen prior to the opening
13 of this e-mail shown in Figure 4, and further assuming that this inbox screen could list various e-mail
14 messages (that could be defined as a database), where the user manually peruses any flagged
15 messages in the user's inbox and mentally checks to see if the user should take action regarding a
16 document, this database would comprise flagged inbox messages in Microsoft Outlook.

17 In contrast, applicants' claim as amended now specifically recites "**automatically** polling a
18 database from a first application" as a task that the document reminder system will perform in order
19 to determine whether any reminders need to be activated, and the document reminder system
20 performs this step during idle CPU cycles or as a background computing task (see applicants'
21 specification, page 6, lines 11-15). Thus, applicants' automatic polling of the database (that does not
22 require user intervention) is not taught or suggested by the prior art, which requires a mental review
23 to be performed by the user on the user's e-mail messages, so that the reminder can be activated by
24 the user, if at all. The amendment to Claim 10 is clearly supported by applicants' specification as
25 filed.

26 With regard to the second and third steps of applicants' Claim 10 that respectively recite
27 "determining whether a reminder is present in the **database**..." and "in response to determining that
28 a reminder is present in the **database**..." the Examiner asserts that "Microsoft Outlook 97 determines
29 when a reminder is present and that the date and time matches the current date and time and in
30 response to the determination and matching, displays the reminder as shown in Figure 2. (Office

1 Action, page 6). However, Figure 2 is based on a second and different database. Specifically,
2 Figure 2 illustrates a reminder that results from clicking on the Tasks icon under Microsoft Outlook.
3 Then, the user can add a new task and can manually set the time and date to be notified, as well as
4 indicate the file that the user is interested in accessing. So this database in the cited prior art
5 represents multiple user-defined tasks, not a list of e-mails. Thus, even assuming, *arguendo*, that the
6 Microsoft Office 97 reference polling the database were equivalent to applicants polling the database,
7 this second database is completely unrelated to the list of e-mail messages that comprise the database
8 that would produce the e-mail shown in Figure 4, for the reasons discussed above. Therefore, the
9 Microsoft Office 97 reference neither teaches nor suggests automatically polling *a database* from a
10 first application and determining whether a reminder is present in *the database*. Accordingly, the
11 rejection of independent Claim 10 under 35 U.S.C. § 102(b) over the Microsoft Office 97
12 reference should be withdrawn for the reasons given above.

13 With respect to amended independent Claim 16, the Examiner asserts that this claim is
14 rejected using the same rationale as that used to reject claims 1, 10, and 11 (Office Action, page 7).
15 In rejecting Claim 11, the Examiner asserts that the user determines if the application capable of
16 polling the reminder database is active and if not, *the user can activate it* as shown in Figure 9
17 (Office Action, page 6-7). In contrast, with regard to applicants' fourth step, i.e., "determining
18 whether a checking application is active" and eighth step, i.e., "activating a background checking
19 program," applicants' method performs these tasks *automatically*. The document reminder system
20 performs these steps during idle CPU cycles or as a background computing task (see applicants'
21 specification, page 12, line 21 – page 13, lines 7). However, the Microsoft Office 97 reference
22 neither teaches nor suggests automatically determining whether a checking application is active or
23 automatically activating a background checking program. The amendment to Claim 16 further
24 clarifies the claims invention and fully supported by applicants' specification as filed.

25 Furthermore, the Examiner has not provided any citations in his rationale for rejecting
26 Claims 1, 10, and 11 to justify that the Microsoft Office 97 reference performs the fifth step of
27 "periodically comparing the current time..." and the ninth step of "periodically comparing the current
28 time..." Accordingly, the rejection of independent Claim 16 under 35 U.S.C. § 102(b) over the
29 Microsoft Office 97 reference should be withdrawn for the reasons given above.

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1 Because dependent claims are considered to include all of the elements of the independent
2 claims from which the dependent claims ultimately depend and because the Microsoft Office 97
3 reference does not disclose or suggest all of what is recited in independent Claims 1, 10, and 16, the
4 rejection of dependent Claims 2-9, 11-15, and 17-18, under 35 U.S.C. § 102(b) over the Microsoft
5 Office 97 reference should be withdrawn for at least the same reasons noted above in the traverse of
6 the rejection of Claims 1, 10, and 16.

7 In view of the amendments and Remarks set forth above, it will be apparent that the claims in
8 this application define a novel and non-obvious invention and are therefore patentable, and that the
9 application is in condition for allowance and should be passed to issue without further delay. Should
10 any further questions remain, the Examiner is invited to telephone applicants' attorney at the number
11 listed below.

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13 Respectfully submitted,

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20 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
21 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,
22 Alexandria, VA 22313-1450, on June 17, 2004.

23 Date: June 17, 2004
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